UNITED STATES PATENT AND TRADEMARK OFFICE

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CANTOR COLBURN, LLP
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

EXAMINER
NGUYEN, DUSTIN

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *30 October 2003*.

2a) ☐ This action is **FINAL**.　　　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-47* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-47* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *30 October 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　　1. ☐ Certified copies of the priority documents have been received.

　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date *10/09/2003*.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 47 are presented for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-6, 22-27, 43, 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Thankachan [US Patent Application No 2002/0184317], in view of Larky et al. [US

Patent No 6,970,908].

4.   As per claim 1, Thankachan discloses the invention as claimed including a method for

providing search and reference functions for a messaging system [i.e. a method for searching,

retrieving, and displaying data from email storage locations] [Abstract; and paragraphs 0001

and 0005], comprising:

        receiving a request to search a data archive for reference information relating to at least

one keyword selected by a messaging system user [i.e. receive user input parameter] [40,

Figure 3; 52, Figure 4; and paragraphs 0004, 0013 and 0016];

searching said data archive [i.e. search active storage location] [42, Figure 3; 54, Figure 4; and paragraphs 0006, 0020, and 0022]; and

wherein said data archive includes information gathered from said messaging system user's message folder [i.e. inbox or sent storage location] [paragraphs 0003 and 0015] and at least one of: a local data storage system [6-10, Figure 1; and paragraph 0013]; and a shared online repository [43-36, Figure 2; and paragraph 0014].

Thankachan does not specifically disclose

said messaging system user actively engaged in composing a message or a response to a message, and wherein further, said at least one keyword is selected from a body of said message's text; and

if a reference is found, presenting said reference to said messaging system user within said message.

Larky discloses

said messaging system user actively engaged in composing a message or a response to a message [i.e. email message to be sent by a user] [Figures 2A-2D; col 7, lines 44-49; and col 8, lines 56-59], and wherein further, said at least one keyword is selected from a body of said message's text [i.e. recognize certain textual terms and other syntactic structure of text 311, i.e. keyword, phrases and other special terms] [311, Figure 3B; col 11, lines 23-25 and lines 46-60]; and

if a reference is found, presenting said reference to said messaging system user within said message [i.e. parse and compare and trigger alerting the sender] [314, Figure 3C; col 11, lines 39-46; and col 12, lines 5-15].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Thankachan and Larky because the teaching of Larky would provide a method and system which can automatically prompt a user based on the content of an email message as to whether an attachment is desired prior to transmission [Larky, col 2, lines 19-38].

5.   As per claim 2, Thankachan discloses in response to a request by said messaging system user, providing access to a recipient of said message to said shared online repository operable for allowing said recipient to: search for a reference within said shared online repository; and access references provided in said message [i.e. remote location to be accessed as needed] [32-36, Figure 3; Figure 4; and paragraphs 0014 and 0022].

6.   As per claim 3, Larky discloses wherein said at least one keyword is selected by highlighting a portion of text contained in said body of said message's text [i.e. the user may highlighting phrases or terms] [Figure 3A; col 3, lines 56-col 4, lines 2; and col 11, lines 26-33].

7.   As per claim 4, Thankachan discloses wherein said reference is provided to said messaging system user in the form of at least one of: a hypertext link; a Uniform Resource Locator; a web address; a document; a report; and a memo [i.e. URL or HTML] [paragraphs 0017, 0019 and 0020].

8.   As per claim 5, Larky discloses wherein contents of said reference is pasted into said message in response to prompting said messaging system user to select all or a portion of said reference [i.e. "attach" screen button enables a sender to attach an attachment] [214C, Figure 3C; col 10, lines 62-col 11, lines 3; and col 14, lines 14-20].

9.   As per claim 6, Thankachan discloses wherein said data archive is generated by: locating available information sources associated with said messaging system user [i.e. checks all available email storage locations for responsive data] [50, Figure 4; and paragraph 0022]; indexing archived data obtained from said available system sources [i.e. examine an index of cached documents] [paragraph 0021; and claim 22]; and locating at least one shared online repository in response to a request by said messaging system user to share information [i.e. remote location] [32-36, Figure 2; and paragraphs 0012 and 0014].

10.   As per claims 22-27, they are rejected for similar reasons as stated above in claims 1-6.

11.   As per claim 43, it is rejected for similar reasons as stated above in claim 1. Furthermore, Thankachan discloses a client system executing a messaging program [i.e. email application] [4, Figure 1; and paragraph 0013], said client system including a web browser [paragraph 0017], local data storage [6-10, Figure 1], and access to an Internet network [14, Figure 1]; a search and reference application executing on said client system [Abstract; and paragraphs 005 and 0006]; a message with text entered by a client system user via said client system [

paragraph 0016]; and a link to a shared online repository external to said client system [30,

Figure 2].

12.   As per claim 45, it is rejected for similar reasons as stated above in claim 1. Furthermore,

Thankachan discloses at least one of a hard drive, a floppy disk drive; a CD-ROM and CD-RW

drive; and a network drive [Figure 1; and paragraph 0003].

13.   As per claim 46, Thankachan discloses wherein data gathered from said local data storage

includes at least one of text files, spreadsheets; graphical data; and electronic presentations [

paragraph 0016, 0018 and 0020].

14.   As per claim 47, Thankachan discloses wherein said network drive includes at least one

of a local area network; an Extranet network; and a virtual private network [14, Figure 1; and

26, Figure 2].

15.   Claims 7-12 and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Thankachan [US Patent Application No 2002/0184317], in view of Larky et al. [US Patent No

6,970,908], and further in view of Danon [US Patent Application No 2003/0110211] and Davis

et al. [US Patent Application No 2004/0158610].

16.   As per claim 7, Thankachan and Larky do not specifically disclose the step of deploying

process software for providing said search and reference functions for a messaging system, the

deployment comprising: installing said process software on at least one server; identifying

server addresses for users accessing said process software on said at least one server; sending

said process software to said at least one server and copying said process software to a file

system of said at least one server; sending the process software to at least a first client

computer; and executing said process software on said first client computer. Danon discloses

the step of deploying process software for providing said search and reference functions for a

messaging system, the deploying comprising: installing said process software on at least one

server; identifying server addresses for users accessing said process software on said at least

one server; sending said process software to said at least one server and copying said process

software to a file system of said at least one server [i.e. user can receive client component by

accessing a predetermined Internet site] [paragraphs 0017 and 0046]; sending the process

software to at least a first client computer; and executing said process software on said first

client computer [i.e. the client component is transmitted to the user's computing device] [

paragraphs 0017 and 0027]. Thankachan, Larky and Danon do not specifically disclose

·installing a proxy server if needed. Davis discloses installing a proxy server if needed [i.e.

deploy client proxy instant messaging] [Abstract; and paragraphs 0006, 0024 and 0025]. It

would have been obvious to a person skill in the art at the time the invention was made to

combine the teaching of Thankachan, Larky, Danon and Davis because it would enable to

provide interoperability between various protocols for client device [Davis, paragraph 0079].

17.   As per claim 8, Danon discloses wherein said installing said process software further

comprises: determining if programs will reside on said at least one server when said process

software is executed; identifying said at least one server that will execute said process software;

and transferring said process software to storage for said at least one server [i.e. web and email

servers] [Figure 1; and paragraphs 0042-0045].

18.   As per claim 9, Danon discloses wherein said sending said process software to said first

client computer further includes having said at least one server automatically copy said process

software to said first client computer, and running an installation program at said first client

computer to install said process software on said first client computer [i.e. client software is

installed on user's computing device] [paragraphs 0003 and 0065].

19.   As per claim 10, Danon discloses wherein said sending said process software to said first

client computer further comprises identifying a user and an address of said first client computer

[i.e. identifying recipient] [paragraphs 0045 and 0045; and claim 4].

20.   As per claim 11, Danon discloses wherein said sending said process software to said first

client computer includes sending said process software to at least one directory on said first

client computer [i.e. user temporary storage on local hard drive] [paragraph 0018].

21.   As per claim 12, Danon discloses wherein said sending said process software to said first

client computer includes sending said process software to said first client computer via e-mail [

paragraph 0049].

22.   As per claims 28-33, they are rejected for similar reasons as stated above in claims 7-12.

23.   Claims 13 and 34 rejected under 35 U.S.C. 103(a) as being unpatentable over

Thankachan [US Patent Application No 2002/0184317], in view of Larky et al. [US Patent No

6,970,908], and further in view of Danon [US Patent Application No 2003/0110211].

24.   As per claim 13, Thankachan and Larky do not specifically disclose integrating process

software for providing search and reference functions for a messaging system, said integrating

comprising the steps of: determining if said process software will execute on at least one server;

identifying an address of said at least one server; checking said at least one server for operating

systems, applications, and version numbers for validation with said process software, and

identifying any missing software applications for said at least one server that are required for

integration; updating said at least one server with respect to any operating system and

application that is not validated for said process software, and providing any of said missing

software applications for said at least one server required for said integration; identifying client

addresses and checking client computers for operating systems, applications, and version

numbers for validation with said process software, and identifying any software applications

missing from said client computers that are required for integration; updating said client
computers with respect to any operating system and application that is not validated for said
process software, and providing any missing software application for said client computers
required for said integration; and installing said process software on said client computers and
said at least one server. Danon discloses integrating process software for providing search and
reference functions for a messaging system, said integrating comprising the steps of:
determining if said process software will execute on at least one server; identifying an address
of said at least one server; checking said at least one server for operating systems, applications,
and version numbers for validation with said process software, and identifying any missing
software applications for said at least one server that are required for integration; updating said
at least one server with respect to any operating system and application that is not validated for
said process software, and providing any of said missing software applications for said at least
one server required for said integration; identifying client addresses and checking client
computers for operating systems, applications, and version numbers for validation with said
process software, and identifying any software applications missing from said client computers
that are required for integration; updating said client computers with respect to any operating
system and application that is not validated for said process software, and providing any
missing software application for said client computers required for said integration; and
installing said process software on said client computers and said at least one server [i.e.
determine if new and revive client component is available, checking for new version and update
itself] [paragraph 0027]. It would have been obvious to a person skill in the art at the time the
invention was made to combine the teaching of Thankachan, Larky and Danon because the

teaching of Danon would provide a method and system of communicating content between and among computing devices in a manner that reduces bandwidth and storage size requirements [Danon, paragraph 0006].

25.   As per claim 34, it is rejected for similar reasons as stated above in claim 13.

26.   Claims 14-18, 35-39 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thankachan [US Patent Application No 2002/0184317], in view of Larky et al. [US Patent No 6,970,908], and further in view of Atencio et al. [US Patent Application No 2004/0210450].

27.   As per claim 14, Thankachan and Larky do not specifically disclose on demand sharing of process software for providing search and reference functions for a messaging system, said on demand sharing comprising the steps of: creating a transaction containing unique customer identification, requested service type, and service parameters; sending said transaction to at least one main server; querying said at least one main server about processing capacity associated with said at least one main server to help ensure availability of adequate resources for processing of said transaction; and allocating additional processing capacity when additional capacity appears needed to process said transaction, said additional processing capacity being selected from the group of additional capacities consisting of central processing unit capacity, processor memory capacity, network bandwidth capacity, and storage capacity.

Atencio discloses on demand sharing of process software for automatic e-mail processing, said

on demand sharing comprising the steps of: creating a transaction containing unique customer

identification, requested service type, and service parameters; sending said transaction to at

least one main server; querying said at least one main server about processing capacity

associated with said at least one main server to help ensure availability of adequate resources

for processing of said transaction; and allocating additional processing capacity when

additional capacity appears needed to process said transaction, said additional processing

capacity being selected from the group of additional capacities consisting of central processing

unit capacity, processor memory capacity, network bandwidth capacity, and storage capacity [

i.e. service configuration checks a capacity validation process to make sure that the

infrastructure can handle new digital video stream] [paragraphs 0027 and 0053-0060]. It

would have been obvious to a person skill in the art at the time the invention was made to

combine the teaching of Thankachan, Larky and Atencio because the teaching of Atencio would

provide components for controlling service management, account management and device

management for facilitating the self-provisioning of services by a subscriber, or plurality of

subscribers of communications and/or media services [Atencio, paragraph 0002].

28.   As per claim 15, Atencio discloses recording a plurality of usage measurements selected

from the group of usage measurements consisting of network bandwidth, processor memory,

storage, and central processing unit cycles [i.e. bandwidth] [paragraphs 0008 and 0100].

29.   As per claim 16, Atencio discloses summing said usage measurements; acquiring at least one multiplicative value associated with said usage measurements and with unit costs; and recording any such acquired multiplicative value as an on demand charge to a requesting customer [i.e. charge and billing process] [paragraphs 0026, 0034 and 0044].

30.   As per claim 17, Atencio discloses at least one of: posting said on demand charge on a web site if requested by said requesting customer; and sending said on demand charge via e-mail to said requesting customer's e-mail address [i.e. account management] [paragraphs 0045-0052].

31.   As per claim 18, Atencio discloses charging said on demand charge to said requesting customer's account if an account exists and if said requesting customer has selected a charge account payment method [i.e. setup billing account and payment method] [paragraphs 0045-0052].

32.   As per claims 35-39, they are rejected for similar reasons as stated above in claims 14-18.

33.   As per claim 44, it is rejected for similar reasons as stated above in claim 2. Furthermore, Thankachan and Larky do not specifically disclose wherein said shared online repository includes an access control list operable for granting and denying access to users of different network systems, and wherein further said authorized users refer to recipients of said message for which said shared online repository is desired. Atencio discloses wherein said shared online

repository includes an access control list operable for granting and denying access to users of different network systems [i.e. authenticating information, i.e. user id and password] [paragraphs 0024, 0032 and 0044], and wherein further said authorized users refer to recipients of said message for which said shared online repository is desired [paragraphs 0027-0029]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Thankachan, Larky and Atencio because the teaching of Atencio would provide components for controlling service management, account management and device management for facilitating the self-provisioning of services by a subscriber, or plurality of subscribers of communications and/or media services [Atencio, paragraph 0002].

34.   Claims 19, 20, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thankachan [US Patent Application No 2002/0184317], in view of Larky et al. [US Patent No 6,970,908], and further in view of Roskind et al. [US Patent Application No 2004/0128540].

35.   As per claim 19, Thankachan and Larky do not specifically disclose deploying, accessing, and executing process software for providing search and reference functions for use with a messaging system, said deploying, accessing, and executing process software implemented through a virtual private network, the method further comprising: determining if a virtual private network is required; checking for remote access to said virtual private network when it is required; if said remote access does not exist, identifying a third party provider to provide secure, encrypted connections between a private network and remote users; identifying

said remote users; and setting up a network access server operable for downloading and installing client software on desktop computers for remote access of said virtual private network; accessing said process software; transporting said process software to at least one remote user's desktop computer; and executing said process software on said at least one remote user's desktop computer. Roskind discloses deploying, accessing, and executing process software for providing search and reference functions for use with a messaging system, said deploying, accessing, and executing process software implemented through a virtual private network [130, Figure 1; and paragraph 0036], the method further comprising: determining if a virtual private network is required; checking for remote access to said virtual private network when it is required; if said remote access does not exist, identifying a third party provider to provide secure, encrypted connections between a private network and remote users; identifying said remote users; and setting up a network access server operable for downloading and installing client software on desktop computers for remote access of said virtual private network; accessing said process software; transporting said process software to at least one remote user's desktop computer; and executing said process software on said at least one remote user's desktop computer [Figures 5 and 6; and paragraphs 0056-0060]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Thankachan, Larky and Roskind because the teaching of Roskind would provide a secured communication path that allows two separate networks or client devices to be connected over a WAN without exposing transmitted data to viewing by unauthorized parties [Roskind, paragraph 0036].

36.   As per claim 20, Roskind discloses determining if said virtual private network has a site-to-site configuration for providing site-to-site access, and if said virtual private network is not so available, installing equipment required to establish a site-to-site configuration for said virtual private network; installing large scale encryption into said site-to-site virtual private network; and accessing said process software through said site-to-site configuration with large scale encryption [paragraphs 0061-0064].

37.   As per claims 40 and 41, they are rejected for similar reasons as stated above in claims 19 and 20.

38.   Claims 21 and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Thankachan [US Patent Application No 2002/0184317], in view of Larky et al. [US Patent No 6,970,908], and further in view of Roskind et al. [US Patent Application No 2004/0128540], and further in view of Weiss [US Patent No 6,930,598].

39.   As per claim 21, Thankachan, Larky, and Roskind do not specifically disclose dialing into said network access server; and attaching directly via a modem into said network access server, said modem being selected from the group of modems consisting of telephone dial-up modems, cable modems, DSL modems and wireless modems. Weiss discloses dialing into said network access server; and attaching directly via a modem into said network access server, said modem being selected from the group of modems consisting of telephone dial-up modems, cable

modems, DSL modems and wireless modems [col 7, lines 30-col 8, lines 9; and col 13, lines 38-40]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Thankachan, Larky, Roskind and Weiss because the teaching of Weiss would provide a variety of network services to computers and other devices both within the home and connected through the Internet [Weiss, paragraph 0001].

40. As per claim 42, it is rejected for similar reasons as stated above in claim 21.

41. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
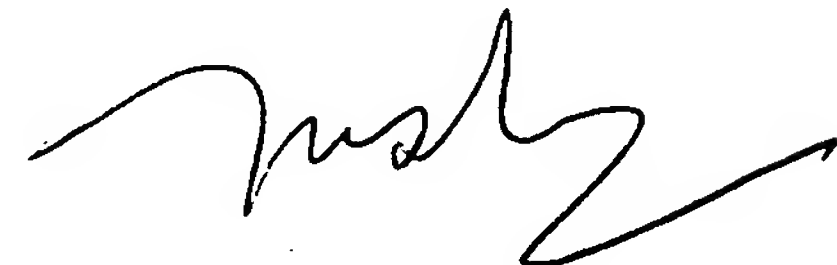
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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen

Examiner

Art Unit 2154